

Journal of the House

State of Indiana

114th General Assembly

Second Regular Session

Second Meeting Day

Wednesday Afternoon

January 4, 2006

The House convened at 1:30 p.m. with Speaker Brian C. Bosma in the Chair.

OPENING REMARKS BY THE SPEAKER

As we begin a new session of the Indiana General Assembly we face a number of tremendous challenges and great opportunities. The first day of a new session is one that typically we look to the minority party to give them an opportunity to discuss their hopes and visions for the future. But today is not a typical start to the General Assembly; I've spoken with Representative Bauer today and he desires to have his opportunity to chat with all of us tomorrow. Events out of our hands have temporarily diverted the attention of many of us and of the rest of the state and, in fact, the nation to a new challenge that we face together regarding religious liberty and free speech in the legislative process. As you can tell by the extraordinary order of business that we are undertaking today, things are changed just a bit today.

For 189 years it has been our practice to invite men and women of many faiths to join us at this point in our proceedings and offer uncensored, open prayer in accordance with their own beliefs and conscience. In my 19-year career here, as many of you, I have heard prayers offered by representatives of virtually every faith, including Jewish Rabbis, Islamic Imams, and persons with no religious affiliation whatsoever. Some mentioned Jesus Christ, some chose not to. Others made reference only to God and others chose not to mention Him in any way.

The important unifying fact in all of those prayers: each and every one was not coerced or censored in any fashion. Every representative who spoke here and every clergyman or lady who chose to offer a prayer was free to pray in accordance with the dictates of their conscience. And the point is that we did not all agree, perhaps, on the theology of those prayers, but we all agreed and respected the individual's right to pray openly, freely, without coercion, or without censorship.

As you know, today is the first day on which we are operating under a federal court order that has ruled that a federal judge is entitled to control the content of the invocation for the first time in 189 years in our state. Judge Hamilton has ruled that the prayers given as part of our opening invocation, the official proceedings of the Indiana House, are not to "use Christ's name or title or any other denominational appeal" and specifically should not—and I am now quoting the Order—"proclaim or otherwise communicate the belief that Jesus of Nazareth was the Christ, the Messiah, the Son of God, or the Savior, or that he was resurrected, or that he will return on Judgment Day or is otherwise divine." In short, for the first time in two centuries, the Speaker of the House has been placed in the position of seeing to it that only government-approved theology will be offered on the House floor. I have struggled with this now for nearly two months and I believe this order flies in the face of an elected official's historical constitutional role as it intersects with religious speech in public venues. In short, I read the order to require an inquiry about the individual's theology, their beliefs regarding prayer, and to require the Speaker of the House to make a value-laden judgment, a theological determination that they can or cannot pray in conformance with the Court's order. Numerous Supreme Court decisions hold that public officials like myself can not make such religious judgments in our public work.

This was brought home to me very clearly when over the past week our staff contacted four different pastors who have prayed in

this Chamber before and have used what are now the forbidden phrases. They were invited to come here and share with us today, and in each case they responded that they could not in good conscience return to the House Chambers to share and offer an invocation in accordance with the Court's order that did not conflict with their own religious beliefs. I have read numerous news accounts of many others who have shared the same view. I know there are many others who would gladly come and pray in the approved fashion, but I find myself having to make the judgment whether they could or could not come.

When that ruling was first issued I termed it "intolerable" and inconsistent with religious liberty and free speech, and I still believe that is an accurate characterization. But we are a nation of laws, and not of men (and women to update the quote), and each of us have taken an oath to uphold the laws and constitution of our state and the United States, including those laws that we disagree with. My friends and others have suggested that I defy the Court order. But after talking about this with my own children, I determined that the message this sent was completely inappropriate. We are a nation of laws, even laws that we disagree with. What message would a defiance send to an abusive husband who disagrees with a restraining order to stay away from his estranged wife and children? No, this is a law and we must obey it.

Many others have suggested that I stand completely aside and implement the Court's directive that only government-approved prayer be allowed in the House Chamber. I disagree. In the words of James Madison, the author of the First Amendment, "The religion . . . of every man must be left to the conviction and conscience of every man . . . It is the duty of every man to render to the Creator such homage and such only as he believes acceptable to him [the individual]." Requiring people to pray in accordance with a government-approved theology directly interferes with the freedom of conscience and speech that each of us holds so dear.

But, together we must and we shall make a stand on this issue. I have already directed our state's Attorney General and our legal team to pursue an aggressive appeal of this matter on our behalf to the 7th Circuit Court of Appeals and to the United States Supreme Court, if necessary. We will continue to fight this order by every constitutional means available until it is overturned.

While this order is in effect, members may, if they so choose, participate in an informal opportunity to offer uncensored, unfettered prayer on the floor of the House prior to the beginning of our session just as occurred in the back of the Chamber today. Our legal advisors have indicated that this course of action meets both the letter and the spirit of Judge Hamilton's order, and still meets the goal of many of us to let members of this chamber and our staff to gather together here and offer prayer in a manner consistent with our own consciences and unfettered by judicial interference.

There is a 189-year history of free speech and open prayer in this House that is temporarily void for a time. Those of us, myself included, who yearn for the opportunity to freely speak in accordance with our beliefs have, historically, always ended up on the right side of history in this nation of freedom. I believe that, hopefully soon, our freedom to have unfettered, unrestricted, uncensored, unapproved prayer in this House will be returned. And I pledge to continue to fight with each of you, and I know that I speak for most of you when I say that, by God's grace, we will not faint from this task. I can only ask you as we open this session with the Pledge of Allegiance that we each ask God to bless our work this session and to bless the State of

Indiana.

The Pledge of Allegiance to the Flag was led by Representative B. Patrick Bauer.

FILLING VACANT LEGISLATIVE OFFICES

Representatives James L. Bottorff (District 71, Clark County) died on December 6 and R. Tiny Adams (District 34, Delaware County) died on December 7, 2005. Certifications of the newly-selected members appear below.

District 71

CERTIFICATE OF APPOINTMENT TO FILL A VACANCY IN A STATE REPRESENTATIVE OFFICE BY A PRECINCT COMMITTEEMAN CAUCUS

TO THE SPEAKER OF THE INDIANA
HOUSE OF REPRESENTATIVES:

This is to certify the following:

(1) A vacancy occurred in the office of State Representative, District 71.

(2) The vacancy occurred due to the death of Representative James Bottorff.

(3) The incumbent was elected or appointed as a candidate of the Democratic Party.

(4) I am the state chairman, or person designated by the state chairman to conduct the caucus, of the Democratic Party.

(5) A caucus of eligible precinct committeemen was held on December 29, 2005, to fill the vacancy in this office. The caucus was held following the giving of notice required under Indiana Code 3-13-5-2.

(6) The members of the caucus selected, by majority vote of those casting a vote for a candidate, the person named below to hold an appointment to this office for the remaining unexpired term.

(7) The person holding the appoint to this office is a registered voter of a precinct within the election district for the office, complies with the other requirements imposed under Indiana law for this office, and consents to this appointment by the declaration of candidacy, which was timely filed in accordance with Indiana Code 3-13-5-3, and is incorporated by reference in this certificate.

(8) This appointment is effective December 29, 2005.

(9) The person appointed to this office is Carlene Bottorff of Jeffersonville.

I, the State Chairman, or person designated by the state chairman to conduct this caucus of the Democratic Party, certify that the information in this Certificate is true and complete.

Signed: Michael L. Jones

Dated: December 30, 2005

Notarized: Kelly J. Floyd of Switzerland County, whose commission expires September 17, 2008.

CERTIFICATE OF SELECTION TO STATE LEGISLATIVE OFFICE

TO THE HONORABLE BRIAN BOSMA
SPEAKER OF THE INDIANA
HOUSE OF REPRESENTATIVES:

WHEREAS, A vacancy occurred in the office of Indiana State Representative, District 71, on December 6, 2005, due to the death of the Honorable James L. Bottorff, who was elected to office as a candidate of the Indiana Democratic Party;

WHEREAS, On December 29, 2005, a caucus composed of Democratic Party precinct committeemen from Indiana House District 71 selected Carlene Bottorff to fill the vacancy in Indiana House District 71;

WHEREAS, On December 30, 2005, the State Chairman of the Indiana Democratic Party certified the selection of Carlene Bottorff to fill the vacancy in Indiana House District 71 to the Speaker of the House of Representatives and the Speaker of the House acknowledged receipt of the certification thereon;

WHEREAS, On January 3, 2006, the Speaker of the House of Representatives forwarded the aforesaid certification to the Secretary of State, in accordance with Indiana Code 3-13-5-6; and

WHEREAS, Pursuant to Indiana Code 3-13-5-7, the Secretary of State is required to certify the individual selected to fill a vacant legislative office: NOW, THEREFORE,

AS THE DULY ELECTED AND ACTING SECRETARY OF THE STATE OF INDIANA, I certify that the Honorable Carlene Bottorff has been selected to fill the vacancy existing in the office of Indiana State Representative, District 71.

Given under my hand and the Seal of the State of Indiana, at the City of Indianapolis, this 3rd day of January, 2006, being the 230th year of the Independence of the United States, and the 191st year of the Statehood of Indiana.

TODD ROKITA
Secretary of the State of Indiana

Representative-elect Carlene Bottorff was sworn into office on January 4, 2006. The oath of office is: "I, Carlene Bottorff, do solemnly swear that I will support the Constitution of the United States and the Constitution of the State of Indiana, and that I will faithfully and impartially discharge my duties as a member of the House of Representatives of the General Assembly of the State of Indiana to the best of my skill and ability, so help me God."

Sworn before me, Frank Sullivan, Justice of the Supreme Court of Indiana, this 4th day of January, 2006.

District 34

CERTIFICATE OF APPOINTMENT TO FILL A VACANCY IN A STATE REPRESENTATIVE OFFICE BY A PRECINCT COMMITTEEMAN CAUCUS

TO THE SPEAKER OF THE INDIANA
HOUSE OF REPRESENTATIVES:

This is to certify the following:

(1) A vacancy occurred in the office of State Representative, District 34.

(2) The vacancy occurred due to the death of Representative R. Tiny Adams.

(3) The incumbent was elected or appointed as a candidate of the Democratic Party.

(4) I am the state chairman, or person designated by the state chairman to conduct the caucus, of the Democratic Party.

(5) A caucus of eligible precinct committeemen was held on December 29, 2005, to fill the vacancy in this office. The caucus was held following the giving of notice required under Indiana Code 3-13-5-2.

(6) The members of the caucus selected, by majority vote of those casting a vote for a candidate, the person named below to hold an appointment to this office for the remaining unexpired term.

(7) The person holding the appoint to this office is a registered voter of a precinct within the election district for the office, complies

with the other requirements imposed under Indiana law for this office, and consents to this appointment by the declaration of candidacy, which was timely filed in accordance with Indiana Code 3-13-5-3, and is incorporated by reference in this certificate.

(8) This appointment is effective December 30, 2005.

(9) The person appointed to this office is Dennis Tyler of Muncie.

I, the State Chairman, or person designated by the state chairman to conduct this caucus of the Democratic Party, certify that the information in this Certificate is true and complete

Signed: Michael D. Edmondson

Dated: December 29, 2005

Notarized: Connie S. Chilcote of Madison County, whose commission expires August 16, 2009.

CERTIFICATE OF SELECTION TO STATE LEGISLATIVE OFFICE

TO THE HONORABLE BRIAN BOSMA
SPEAKER OF THE INDIANA
HOUSE OF REPRESENTATIVES:

WHEREAS, A vacancy occurred in the office of Indiana State Representative, District 34, on December 7, 2005, due to the death of the Honorable R. Tiny Adams, who was elected to office as a candidate of the Indiana Democratic Party;

WHEREAS, On December 29, 2005, a caucus composed of Democratic Party precinct committeemen from Indiana House District 34 selected Dennis Tyler to fill the vacancy in Indiana House District 34;

WHEREAS, On December 30, 2005, the State Chairman of the Indiana Democratic Party certified the selection of Dennis Tyler to fill the vacancy in Indiana House District 34 to the Speaker of the House of Representatives and the Speaker of the House acknowledged receipt of the certification thereon;

WHEREAS, On January 3, 2006, the Speaker of the House of Representatives forwarded the aforesaid certification to the Secretary of State, in accordance with Indiana Code 3-13-5-6; and

WHEREAS, Pursuant to Indiana Code 3-13-5-7, the Secretary of State is required to certify the individual selected to fill a vacant legislative office: NOW, THEREFORE,

AS THE DULY ELECTED AND ACTING SECRETARY OF THE STATE OF INDIANA, I certify that the Honorable Dennis Tyler has been selected to fill the vacancy existing in the office of Indiana State Representative, District 34.

Given under my hand and the Seal of the State of Indiana, at the City of Indianapolis, this 3rd day of January, 2006, being the 230th year of the Independence of the United States, and the 191st year of the Statehood of Indiana.



TODD ROKITA
Secretary of the State of Indiana


Representative-elect Dennis Tyler was sworn into office on January 4, 2006. The oath of office is: "I, Dennis Tyler, do solemnly swear that I will support the Constitution of the United States and the Constitution of the State of Indiana, and that I will faithfully and impartially discharge my duties as a member of the House of Representatives of the General Assembly of the State of Indiana to the best of my skill and ability, so help me God."


Sworn before me, Frank Sullivan, Justice of the Supreme Court of Indiana, this 4th day of January, 2006.

ROLL CALL OF MEMBERS

The Speaker ordered the roll of the House to be called:

Aguilera
Austin
Avery
Ayres
Bardon
Bauer
Behning
Bell
Bischoff
Borders
Borror
C. Bottorff
Bright
C. Brown
T. Brown
Buck
Budak
Buell
Burton
Cheney
Cherry
Cochran
Crawford
Crooks
Crouch
Davis
Day
Denbo
Dickinson
Dobis 
Dodge
Duncan
Dvorak
Espich
Foley
Friend
Frizzell
Fry
GiaQuinta
Goodin
Grubb
Gutwein
E. Harris 
T. Harris
Heim
Hinkle
Hoffman
Hoy
Kersey
Klinker

Koch
Kromkowski
Kuzman
L. Lawson
Lehe
Leonard
J. Lutz
Mahern
Mays
McClain
Messer
Micon
Moses
Murphy 
Neese
Noe
Orentlicher
Oxley
Pelath
Pflum
Pierce
Pond
Porter
Reske
Richardson
Ripley
Robertson
Ruppel
Saunders
J. Smith
V. Smith
Stevenson
Stilwell
Stutzman
Summers
Thomas
Thompson
Tinch
Torr
Turner
Tyler
Ulmer
VanHaaften
Walorski
Welch
Whetstone
Wolkins
Woodruff
Yount
Mr. Speaker

Roll Call 2: 97 present; 3 excused. The Speaker announced a quorum in attendance. [NOTE:  indicates those who were excused.]

HOUSE MOTION

Mr. Speaker: I move that when we do adjourn, we adjourn until Thursday, January 5, 2006 at 1:30 p.m.

FRIEND

Motion prevailed.

The House stood for a moment of silence in memory of former Representatives R. Tiny Adams and James L Bottorff who died in December, 2005.

APPOINTMENT OF COMMITTEES

The Speaker announced the following changes in appointments to standing committees:

Agriculture and Rural Development: Representative Carlene Bottorff replacing former Representative James Bottorff;

Commerce, Economic Development and Small Business: Representative Tyler replacing Representative Orentlicher;

Judiciary: Representative Tyler replacing Representative Orentlicher;

Natural Resources: Representative Carlene Bottorff replacing former Representative James Bottorff;

Public Health: Representative Tyler replacing Representative Orentlicher;

Utilities and Energy: Representative Crooks replacing former Representative James Bottorff as Ranking Minority Member and Representative Carlene Bottorff becoming a member of the committee;

Ways and Means: Representative Orentlicher replacing former Representative T. Adams.

INTRODUCTION OF BILLS

The following bills were read a first time by title and referred to the respective committees:

HB 1011 — Richardson, Mahern, Behning, Thomas
Committee on Elections and Apportionment

A BILL FOR AN ACT to amend the Indiana Code concerning elections.

HB 1012 — Withdrawn pursuant to House Rule 111

HB 1013 — Burton

Committee on Roads and Transportation

A BILL FOR AN ACT to amend the Indiana Code concerning motor vehicles.

HB 1014 — Crooks

Committee on Commerce, Economic
Development and Small Business

A BILL FOR AN ACT concerning general provisions.

HB 1015 — Day

Committee on Ways and Means

A BILL FOR AN ACT to amend the Indiana Code concerning taxation.

HB 1016 — Ayres, Ulmer, Foley, Cheney

Committee on Courts and Criminal Code

A BILL FOR AN ACT to amend the Indiana Code concerning courts and court officers.

HB 1017 — Welch, T. Harris

Committee on Financial Institutions

A BILL FOR AN ACT to amend the Indiana Code concerning professions and occupations.

HB 1018 — Robertson, Wolkins, Hinkle, Oxley

Committee on Utilities and Energy

A BILL FOR AN ACT to amend the Indiana Code concerning environmental law.

HB 1019 — Torr

Committee on Employment and Labor

A BILL FOR AN ACT to amend the Indiana Code concerning labor and safety.

HB 1020 — Avery

Committee on Local Government

A BILL FOR AN ACT to amend the Indiana Code concerning local government.

HB 1021 — Grubb, Friend

Committee on Roads and Transportation

A BILL FOR AN ACT to amend the Indiana Code concerning utilities and transportation.

HB 1022 — Ruppel, Pond, Bischoff, Goodin

Committee on Agriculture and Rural Development

A BILL FOR AN ACT to amend the Indiana Code concerning agriculture and animals.

HB 1023 — Ayres, T. Brown, C. Brown, Cheney
Committee on Public Health

A BILL FOR AN ACT concerning human services.

HB 1024 — J. Smith

Committee on Courts and Criminal Code

A BILL FOR AN ACT to amend the Indiana Code concerning criminal law and procedure.

HB 1025 — J. Smith

Committee on Ways and Means

A BILL FOR AN ACT to amend the Indiana Code concerning taxation.

HB 1026 — Grubb

Committee on Judiciary

A BILL FOR AN ACT to amend the Indiana Code concerning natural and cultural resources.

HB 1027 — Walorski

Committee on Commerce, Economic
Development and Small Business

A BILL FOR AN ACT to amend the Indiana Code concerning general provisions.

HB 1029 — Buell, Klinker

Committee on Ways and Means

A BILL FOR AN ACT to amend the Indiana Code concerning taxation.

HB 1030 — Saunders, Austin

Committee on Roads and Transportation

A BILL FOR AN ACT to amend the Indiana Code concerning motor vehicles.

HB 1031 — Reske

Committee on Commerce, Economic
Development and Small Business

A BILL FOR AN ACT to amend the Indiana Code concerning state and local administration.

HB 1032 — Buell, Kromkowski

Committee on Judiciary

A BILL FOR AN ACT to amend the Indiana Code concerning pensions.

HB 1033 — Buck

Committee on Ways and Means

A BILL FOR AN ACT to amend the Indiana Code concerning taxation and to make an appropriation.

HB 1034 — Davis

Committee on Courts and Criminal Code

A BILL FOR AN ACT to repeal a provision of the Indiana Code concerning criminal law and procedure.

HB 1035 — Stilwell

Committee on Ways and Means

A BILL FOR AN ACT concerning state offices and administration and to make an appropriation.

HB 1036 — Koch, Welch

Committee on Public Policy and Veterans Affairs

A BILL FOR AN ACT to amend the Indiana Code concerning alcohol and tobacco.

HB 1037 — Hoffman

Committee on Natural Resources

A BILL FOR AN ACT to amend the Indiana Code concerning local government.

HB 1038 — Dodge

Committee on Roads and Transportation

A BILL FOR AN ACT to amend the Indiana Code concerning motor vehicles.

HB 1039 — Stilwell

Committee on Natural Resources

A BILL FOR AN ACT to amend the Indiana Code concerning natural and cultural resources.

HB 1040 — Foley

Committee on Judiciary

A BILL FOR AN ACT to amend the Indiana Code concerning general provisions.

HB 1041 — Torr

Committee on Insurance

A BILL FOR AN ACT to amend the Indiana Code concerning insurance.

HB 1043 — Mays

Committee on Judiciary

A BILL FOR AN ACT to amend the Indiana Code concerning courts and court officers.

HB 1044 — J. Lutz

Committee on Local Government

A BILL FOR AN ACT to amend the Indiana Code concerning local government.

HB 1045 — J. Lutz

Committee on Utilities and Energy

A BILL FOR AN ACT to amend the Indiana Code concerning utilities and transportation.

HB 1046 — Austin

Committee on Ways and Means

A BILL FOR AN ACT to amend the Indiana Code concerning local government.

HB 1047 — Bell

Committee on Education

A BILL FOR AN ACT to amend the Indiana Code concerning education.

HB 1048 — Bell, Burton, Koch

Committee on Public Health

A BILL FOR AN ACT to amend the Indiana Code concerning health.

HB 1049 — Bell

Committee on Courts and Criminal Code

A BILL FOR AN ACT to amend the Indiana Code concerning criminal law and procedure.

HB 1050 — Dickinson

Committee on Ways and Means

A BILL FOR AN ACT to amend the Indiana Code concerning taxation.

HB 1051 — Hoffman

Committee on Judiciary

A BILL FOR AN ACT to amend the Indiana Code concerning property.

HB 1052 — Micon

Committee on Financial Institutions

A BILL FOR AN ACT to amend the Indiana Code concerning trade regulation.

HB 1053 — Micon

Committee on Public Health

A BILL FOR AN ACT to amend the Indiana Code concerning health.

HB 1054 — Micon

Committee on Utilities and Energy

A BILL FOR AN ACT to amend the Indiana Code concerning utilities and transportation.

HB 1055 — Duncan

Committee on Public Health

A BILL FOR AN ACT to amend the Indiana Code concerning health.

HB 1056 — Duncan

Committee on Roads and Transportation

A BILL FOR AN ACT to amend the Indiana Code concerning motor vehicles.

HB 1057 — Heim

Committee on Commerce, Economic Development and Small Business

A BILL FOR AN ACT concerning elections.

HB 1058 — Heim

Committee on Ways and Means

A BILL FOR AN ACT to amend the Indiana Code concerning taxation.

HB 1060 — L. Lawson

Committee on Employment and Labor

A BILL FOR AN ACT to amend the Indiana Code concerning health.

HB 1061 — L. Lawson

Committee on Public Safety and Homeland Security

A BILL FOR AN ACT to amend the Indiana Code concerning state and local administration.

HB 1062 — Hinkle, Buell, Crawford

Committee on Education

A BILL FOR AN ACT to amend the Indiana Code concerning education.

HB 1063 — Hinkle, Torr, Micon

Committee on Employment and Labor

A BILL FOR AN ACT to amend the Indiana Code concerning professions and occupations.

HB 1064 — Buck

Committee on Ways and Means

A BILL FOR AN ACT to amend the Indiana Code concerning education finance and to make an appropriation.

HB 1065 — Gutwein

Committee on Agriculture and Rural Development

A BILL FOR AN ACT to amend the Indiana Code concerning agriculture and animals.

HB 1066 — Cherry

Committee on Natural Resources

A BILL FOR AN ACT to amend the Indiana Code concerning natural and cultural resources.

HB 1067 — Cherry

Committee on Public Health

A BILL FOR AN ACT to amend the Indiana Code concerning health.

HB 1068 — Kromkowski, Pelath

Committee on Utilities and Energy

A BILL FOR AN ACT concerning the general assembly.

HB 1069 — Avery

Committee on Public Policy and Veterans Affairs

A BILL FOR AN ACT to amend the Indiana Code concerning taxation and to make an appropriation.

HB 1071 — Reske

Committee on Judiciary

A BILL FOR AN ACT to amend the Indiana Code concerning family law and juvenile law.

HB 1072 — Kersey

Committee on Education

A BILL FOR AN ACT to amend the Indiana Code concerning education.

HB 1112 — Foley

Committee on Judiciary

A BILL FOR AN ACT to amend the Indiana Code concerning civil procedure.

HB 1114 — Foley

Committee on Judiciary

A BILL FOR AN ACT to amend the Indiana Code concerning property.

HB 1134 — Foley, Behning, Kuzman, VanHaaften

Committee on Judiciary

A BILL FOR AN ACT to amend the Indiana Code concerning education finance.

INTRODUCTION OF JOINT RESOLUTIONS

The following joint resolutions were read a first time by title and referred to the respective committees:

HJR 1 — Micon

Committee on Judiciary

A JOINT RESOLUTION proposing an amendment to Article 8 of the Indiana Constitution concerning education finance.

Be it resolved by the General Assembly of the State of Indiana:

SECTION 1. The following amendment to the Constitution of the State of Indiana is proposed and agreed to by this, the One Hundred Fourteenth General Assembly of the State of Indiana, and is referred to the next General Assembly for reconsideration and agreement.

SECTION 2. ARTICLE 8, SECTION 1 OF THE CONSTITUTION OF THE STATE OF INDIANA IS AMENDED TO READ AS FOLLOWS: Section 1. Knowledge and learning, generally diffused throughout a community, being essential to the preservation of a free government; it shall be the duty of the General Assembly to encourage, by all suitable means, moral, intellectual, scientific, and agricultural improvement; and to provide, by law, for a general and uniform system of Common Schools, wherein tuition shall be without charge, and equally open to all. **The General Assembly shall provide by law that textbooks be provided to all students in public schools without charge.**

OTHER BUSINESS ON THE SPEAKER'S TABLE

Pursuant to House Rule 60, committee meetings were announced.

On the motion of Representative Tyler, the House adjourned at 1:45 p.m., this fourth day of January, 2006, until Thursday, January 5, 2006, at 1:30 p.m.

BRIAN C. BOSMA

Speaker of the House of Representatives

M. CAROLINE SPOTTS

Principal Clerk of the House of Representatives